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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney's Docket No.: GK-ZEI-3254 / 500343.20274

U.S. Application No.:

International Application No.: PCT/EP03/04024

International Filing Date: APRIL 17, 2003

17 APRIL 2003

Priority Date Claimed: APRIL 17, 2002

17 APRIL 2002

Title of Invention:

**METHOD FOR THE SPECTROSCOPIC DETERMINATION OF THE OXYGEN SATURATION OF BLOOD IN THE PRESENCE OF OPTICAL DISTURBANCE VARIABLES**

Applicant(s) for (DO/EO/US): Dietrich SCHWEITZER, Martin HAMMER and Eike THAMM

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## INFORMATION DISCLOSURE STATEMENT

S I R:

Applicant herewith submits together with the simultaneously filed National Phase application of PCT/EP03/04024, a copy of the International Search Report (PCT/ISA/210) dated August 22, 2003, citing three of the following references:

	Document Number	Date	Name
AA	4,253,744	03/03/1981	Sawa
AB	4,305,398	12/15/1981	Sawa
AC	4,485,820	12/04/1984	Flower
AD	5,119,814	06/09/1992	Minnich
AE	5,308,919	05/03/1994	Minnich
AF	5,318,022	06/07/1994	Taboada, et al.
AG	5,776,060	07/07/1998	Smith, et al.
AH	5,935,076	08/10/1999	Smith, et al.

	Document Number	Date	Country	English Translation
AL	32 45 939	06/14/1984	Germany	US equivalent 4,579,430
AM	44 33 827	03/28/1996	Germany	Abstract only
AN	WO 00/09004	02/24/2000	WIPO	
AO	199 20 157	11/02/2000	Germany	Abstract only

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## OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)

- AT J. Opt. Soc. Amer. 60, 1970, pages 1084-1093 :Absorption and multiple scattering by biological suspension" V. Twersky
- AU Appl. Opt. 39, 2000, pages 1183-1193 "Effects of multiple light paths in retinal vessel oximetry" Smith, et al.
- AV J. Appl. Physiol. 38, 1975, pages 315-320 "A new method for the measurement of percent oxyhemoglobin" Pittman RN, et al.
- AW Appl. Opt. 27, 1988, pages 1183-1193 "Noninvasive technique for oximetry of blood in retinal vessels" F.C. Delori
- AX IEEE Trans Biomed Eng. 48 (5), 2001, pages 592-598 "Light paths in retinal oxymetry"
- AY IEEE Trans Biomed Eng. 46, 1999, pages 1454-1465 "In Vivo Measurement of the oxygen Saturation at the Normal Human Eye" Schweitzer, et al.

Accompanying this Information Disclosure Statement and form PTO-1449 are copies of the foreign documents AL- AO including two (2) English Abstracts and cover page of the a U.S. equivalent. Copies of the articles are not readily available. All documents except AL, AN and AW are mentioned on pages 2 - 3 of the German specification.

The USPTO waived the requirement under 37 C.F.R. §1.98(a)(2)(i) for submitting copies of US patents and US patent application publications in all U.S. applications filed after June 30, 2003. First pages only of documents AA - AH are enclosed.

This submission is not an admission that the information disclosed in the documents is material to the patentability of the invention disclosed and/or claimed in the above-identified application.

Respectfully submitted,

  
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Enclosures:  
Search Report (PCT/ISA/210)  
PTO-1449  
4 documents  
1 US Equivalent  
2 English Abstracts  
8 US Cover pages

LI **OF PRIOR ART CITED BY APPLICANT**  
(Filed on October 15, 2004)

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Docket No. **GK-ZEI-3254 / 500343.20274**Applicant(s): **Dietrich SCHWEITZER, Martin HAMMER and Eike THAMM**

Application No. (Int'l Appln No. PCT/EP03/04024 17APR03) Group:

Filed: Examiner:

**U.S. PATENT DOCUMENTS**

Exam. Init		Document Number	Date	Name	Class	Sub-Class	Filing Date Appropriate
	<b>AA</b>	<b>4,253,744</b>	<b>03/03/1981</b>	<b>Sawa</b>			
	<b>AB</b>	<b>4,305,398</b>	<b>12/15/1981</b>	<b>Sawa</b>			
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	<b>AH</b>	<b>5,935,076</b>	<b>08/10/1999</b>	<b>Smith, et al.</b>			
	<b>AI</b>						
	<b>AJ</b>						
	<b>AK</b>						

**FOREIGN PATENT DOCUMENTS**

		Document Number	Date	Country	CLASS	Sub-Class	Translation YES NO
	<b>AL</b>	<b>32 45 939</b>	<b>06/14/1984</b>	<b>Germany</b>			<b>US 4,579,430</b>
	<b>AM</b>	<b>44 33 827</b>	<b>03/28/1996</b>	<b>Germany</b>			<b>Abstract only</b>
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	<b>AO</b>	<b>199 20 157</b>	<b>11/02/2000</b>	<b>Germany</b>			<b>Abstract only</b>
	<b>AP</b>						
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	<b>AU</b>	<b>Appl. Opt. 39, 2000, pages 1183-1193 "Effects of multiple light paths in retinal vessel oximetry" Smith, et al.</b>
	<b>AV</b>	<b>J. Appl. Physiol. 38, 1975, pages 315-320 "A new method for the measurement of percent oxyhemoglobin" Pittman RN, t al.</b>
	<b>AW</b>	<b>Appl. Opt. 27, 1988, pages 1183-1193 "Noninvasive technique for oximetry of blood in retinal vessels" F.C. Delori</b>
	<b>AX</b>	<b>IEEE Trans Biomed Eng. 48 (5), 2001, pages 592-598 "Light paths in retinal oeymetry"</b>
	<b>AY</b>	<b>IEEE Trans Biomed Eng. 46, 1999, pages 1454-1465 "In Vivo Measurement of the oxygen Saturation at the Normal Human Eye" Schweitzer, et al.</b>
	<b>AZ</b>	

Examiner:

Date:

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.